

Members

Sen. Edward Charbonneau, Chair
Sen. Phil Boots
Sen. Randall Head
Sen. James Lewis
Sen. Richard Young
Sen. Robert Deig
Rep. David Cheatham, Vice-Chair
Rep. Steven Stemler
Rep. Joseph Pearson
Rep. William Friend
Rep. Jack Lutz
Rep. Richard Dodge



WATER RESOURCES STUDY COMMITTEE

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MEETING MINUTES¹

Meeting Date: September 9, 2009
Meeting Time: 1:00 p.m.
Meeting Place: State House, 200 W. Washington St.,
Room 431
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Sen. Edward Charbonneau, Chair; Sen. Phil Boots; Sen. Randall Head; Sen. James Lewis; Sen. Richard Young; Rep. David Cheatham, Vice-Chair; Rep. Steven Stemler; Rep. Joseph Pearson; Rep. William Friend; Rep. Richard Dodge.

Members Absent: Sen. Robert Deig; Rep. Jack Lutz.

Call to Order. Senator Charbonneau, Chair of the Committee, called the meeting to order at 1:10 p.m. He called upon the members to introduce themselves. After reading the Committee's statutory charges and topics assigned by the Legislative Council, the Chair called upon Ron McAhron, Deputy Director, Department of Natural Resources (DNR), to present the report of the Water Shortage Task Force (WSTF) (Attachments A, B, and C).

Water Shortage Task Force (WSTF). Mr. McAhron explained the history of WSTF, which has been working since 2006 to update the 1994 Water Shortage Plan. The WSTF finished updating the plan in July 2009. (The plan will be available on DNR's website.) One of the more successful outcomes of the WSTF's work was the development of a model water usage ordinance for municipalities to adopt for times of water shortage. This ordinance has been adopted in several municipalities, and awareness has increased. The WSTF has updated the drought trigger mechanisms used by DNR and made them more accessible to the public. DNR has also established biological baseline flow standards for streams, as well as determining

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water use priorities during water shortage periods. These baselines and priorities are used as guidelines by local municipalities in setting local water priorities. DNR plans to conduct tabletop drought exercises to determine how efficiently the state can respond to drought emergencies.

Water Resources Task Force (WRTF). In regards to the work of the upcoming WRTF, Mr. McAhron sees its work as a natural dovetail and outgrowth of the WSTF's work. The WRTF will be making projections of future water usage needs to be used in future planning for residential growth and economic development, in addition to performing cost-benefit analyses for development or distribution of water resources. The members of the WRTF will be appointed by October 1 and begin work in January. The WRTF's charge is broader than the charge of WSTF, with a focus on future availability, needs, and development.

Water Nuisances (HB 1278). The Chair called upon Rep. Milo Smith, who briefly explained why he had offered HB 1278, concerning water nuisances (attachment D). Rep. Smith called upon Keith Allison, whose neighbors drained a sump pump next to Mr. Allison's property line in addition to diverting down spouts to Mr. Allison's property. This diversion caused significant flooding problems for Mr. Allison's property, and he was unable to resolve the situation with his neighbors or through local drainage boards.

Rep. Smith called upon Tony Thomas, whose property is located next to a subdivision that was pumping water off of its property that then drained onto Mr. Thomas' property. Mr. Thomas' property has effectively become a swamp, and is unusable.

E. R. Gray, Bartholomew County surveyor, pointed out that the drainage board did not have authority to order Mr. Allison's neighbor to move his down spouts and sump pump. The city of Columbus has storm water ordinances and might have been able to resolve the issue; however, the county does not.

Doug Lechner, Johnson County surveyor, explained that similar water issues exist in Johnson County. In Johnson County, if a violation of a local drainage ordinance occurs, the plan commission sends letters to the violator; however, it is rarely cost effective for the board of zoning appeals to pursue a case against a violator. Mr. Lechner would like to see legislation that would provide more enforcement power to local authorities on drainage issues.

Dave Gaston, Hendricks County surveyor and president of the Indiana County Surveyors Association, pointed out that drainage boards were constituted to deal with regulated drains. Drainage boards are not responsible for drainage issues outside of regulated drains; thus, in most instances, the boards cannot assist individuals with storm water drainage issues. A county ordinance may be able to increase the authority of the drainage board or surveyor to deal with storm water management outside of regulated drains.

Ann Miller told the Committee about a farmer-to-farmer drainage problem she had in Rush County. Her family farm was assessed a fee to correct a drainage issue that was caused by the actions of an adjacent farmer. She urged the Committee to consider establishing a uniform manner of dealing with drainage issues, since the approach varies from county to county.

Next Meeting. The Chair announced that the next meeting of the committee will be held at 10:00 a.m. on October 7.

Adjournment. The Chair adjourned the meeting at 3:15 p.m.